

Green, LindaE

From: Amy Johnson <amyj@mit.edu>
Sent: Monday, January 30, 2017 4:51 PM
To: FOIA HQ
Cc: sellars@bu.edu
Subject: FOIA request: EPA social media
Attachments: Johnson-A 2017-01-30 EPA.pdf

Dear FOIA Officer,

Please find attached my FOIA request regarding EPA social media accounts and recent social media activity. If you have any questions, my full contact info is included within.

Many thanks,
Amanda

Amanda Johnson
HASTS, MIT
Berkman Klein Center for Internet & Society, Harvard
@shrapnelofme

Massachusetts Institute of Technology

Amanda Johnson
PhD candidate

HASTS Program
Building E51-163

77 Massachusetts Avenue
Cambridge, Massachusetts
02139-4307

Phone 617-253-9759
Fax 617-258-8118
Email amyj@mit.edu
<http://web.mit.edu/hasts/>

January 30, 2017

VIA EMAIL (HQ.FOIA@EPA.GOV)

Records, FOIA, and Privacy Branch
Office of Environmental Information
Environmental Protection Agency
1200 Pennsylvania Ave. (2822T) NW
Washington, DC 20460

Re: Freedom of Information Act Request – EPA Social Media

To whom it may concern:



Under the Freedom of Information Act, 5 U.S.C. § 552, and 40 C.F.R. § 2.102, I hereby request the following records:

1. All communications between the Environmental Protection Agency and representatives of the Executive Office of the President of the United States, the President, and/or those purporting to contact the Agency on behalf of the President, created between January 20, 2017 and January 27, 2017, and concerning the operation of the Agency's social media accounts. The press has reported that such communications occurred over that time span.¹ This request is meant to specifically include any materials related the briefing for all Communication Directors by the Executive Office that occurred in or around January 24, 2017.²
2. Any documents or materials, including but not limited to, guides, manuals, handbooks, policies, or presentations used to instruct or train Agency personnel in the use of its public-facing Twitter account, @EPA. This request includes any documents that speak to the style or tone that agency personnel are directed to adopt in their use of the account. I believe such documents would be in the custody of the Agency's Office of Public Affairs.
3. Any documents or materials used to instruct Agency personnel on the proper procedures for archiving and deleting content from the Agency's public-facing Twitter account, @EPA.
4. All emails sent or received by the Agency's Office of Public Affairs, Office of the General Counsel, and the office of the Acting Administrator, created between January 20, 2017 and January 27, 2017, if they:
 - a. concern the operation of the Agency's public-facing Twitter account, @EPA. Such emails can be located by searching for the terms "Twitter" and "@EPA" independent of each other, and then reviewing the contents to see if they discuss the account.
 - b. use the terms "Hatch Act" and/or "5 U.S.C. § 7321;"

¹ See Bob Fredericks, *Trump Orders EPA Media Blackout*, N.Y. Post (Jan. 24, 2017), <http://nypost.com/2017/01/24/trump-orders-epa-media-blackout/>.

² See Kate Sheppard, *The Trump Administration Really Doesn't Want EPA Employees Talking to the Press*, Mother Jones (Jan. 24, 2017), <http://www.motherjones.com/environment/2017/01/trump-epa-gag-order>.

- c. use the terms "Twitter" and "logo" in the same email; or
- d. use the term "@altUSEPA," "@altEPA," "@ActualEPAFacts," or "@AltNatParkSer";
note: search terms are not meant to be case sensitive.

If any part of this request is not produced for any reason, please inform me of the grounds on which the part was withheld. Please also produce all reasonable segregable portions of the documents from which material has been withheld.

I also ask that any fees be waived, as I believe this request is in the public interest. I am a doctoral candidate at the Massachusetts Institute of Technology's (MIT) Doctoral Program in History, Anthropology, and Science, Technology, and Society (HASTS), as well as a Research Affiliate at the Berkman Klein Center for Internet and Society at Harvard University. For the past several years I have been studying the government's use of social media from an anthropological perspective, and I will be including an original analysis of the requested documents in a research article on that subject, which I will make available to the public, as is custom in my field. As this agency is no doubt aware, the activities concerning the agencies and Twitter are also subject to robust public discussion and debate, and I believe that my expertise can help inform the public in this debate. *See Shoenman v. FBI*, 604 F. Supp. 2d 174 (D.D.C. 2009).

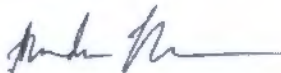
At a minimum, I request that any fees be assessed in accordance with a reduced fee category. As a student I qualify as an Educational Requester, as my research is sponsored by MIT, an accredited U.S. educational institution, and the requested information will be used in a scholarly work contributing to public knowledge of government activity and disseminated to the public. *See Sack v. Dep't of Defense*, 823 F.3d 687 (D.C. Cir. 2016).

In the alternative, I believe that I qualify as a representative of the news media, as I will use my editorial skills to incorporate the requested documents into a distinct work that will be published as well as made available at two digital repositories known as ProQuest and DSpace, respectively. The requested information, as analyzed, will shed light on the government's use of social media, which is of current interest to the public. I also write about these issues in Medium, and have previously written in other areas for the *San Francisco Chronicle*.

In the event that fees cannot be waived, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request be filled electronically by e-mail attachment, or by CD-ROM if not. Please send any physical records to the address located in my signature block.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 20 business days. If you have any questions about handling this request, you may telephone me at 510-757-8833.

Sincerely,



Amanda Johnson
HASTS Program, E51-163
MIT
77 Massachusetts Ave
Cambridge, MA 02139